

### Remarks

Favorable reconsideration of this application is respectfully requested in view of the following remarks. The Examiner has rejected claims 1-35. Claims 1-5, 8, 12, 18-24, 26-31 and 33 are rejected under 35 U.S.C. §102(b) as being anticipated by Taylor, U.S. Patent No. 5,007,590. Claims 6, 7, 9-11, 13-17, 25, 32, 34, and 35 are rejected under 35 U.S.C. §103 as being unpatentable over Taylor in view of Sansing, U.S. Patent No. 5,028,010. Amendments to the claims have been made to more clearly describe the present invention and to point out the features which distinguish the invention over the cited art.

### Rejection Under 35 U.S.C. §102(b)

The Examiner has rejected claims 1-5, 8, 12, 18-24, 26-31 and 33 under 35 U.S.C. §102(b) as being anticipated by Taylor. Independent claim 1 has been amended to include the limitation of adding a pretreatment additive to the waste material while it is in the homogenizer. This additional step is necessary to raise the pH of the waste material from a value on the order of 4 to a value on the order of 8 or 9.

Support for this amendment is found in the Specification on page 4 line 33 through page 5 line 5.

Unlike the present invention, Taylor does not teach nor suggest the use of a pretreatment additive during the process step of homogenizing. Taylor teaches the addition of an additive at the mixing or blending step of the process. See column 4, lines 37-43. Quite unlike Taylor, the present invention provides for the addition of a pretreatment addition to prevent the corrosion problems experience in homogenizer units in previous processes such as that disclosed in Taylor. In light of the above, Applicant respectfully contends that claim 1 does not literally read on the Taylor device, therefore claim 1 is not anticipated by Taylor.

Dependent claim 3 has been amended to include the limitations of receiving waste material in a vibrating screen box and vibrating the waste material in such a way as to separate lumps of waste material larger than a predetermined size from the remainder of the waste material. Support for this amendment is found in the Specification on page 4 lines 1-8.

Unlike the present invention, Taylor does not teach nor suggest the processing steps involving a vibrating screen box. Taylor teaches the use of a separator for breaking up the waste material and to remove foreign objects of magnetic material. See column 3, lines 6-9 and 17-21. Quite unlike Taylor, the present invention removes all large lumps of waste material completely from the process by requiring the waste material to pass through a vibrating screen having openings of a predetermined size. In light of the above, Applicant respectfully contends that claim 3 does not literally read on the Taylor device, therefore claim 3 is not anticipated by Taylor.

Similarly, independent claim 18 has been amended to include the limitation of a vibrating screen box that vibrates the waste material in such a way as to separate lumps of waste material larger than a predetermined size from the remainder of the waste material. Support for this amendment is found in the Specification on page 4 lines 1-2.

Unlike the present invention, Taylor does not teach nor suggest the use a vibrating screen box. Instead, Taylor teaches the use of a separator which breaks up waste material and removes foreign objects of magnetic material;

while the present invention uses a vibrating screen box that removes all large lumps of waste material. In light of the above, Applicant respectfully contends that claim 18 does not literally read on the Taylor device, therefore claim 18 is not anticipated by Taylor.

Dependent claim 22 has been amended to include the limitation of a pretreatment additive receptacle for storing pretreatment additive which is added to the waste material while it is in the homogenizer. Support for this amendment is found in the Specification on page 5 lines 6-7.

Unlike the present invention, Taylor does not teach nor suggest a pretreatment additive receptacle. In light of the above, Applicant respectfully contends that claim 22 does not literally read on the Taylor device, therefore claim 22 is not anticipated by Taylor.

Independent claim 29 has also been amended to include the limitation of a pretreatment additive receptacle for storing pretreatment additive which is added to the waste material while it is in the homogenizer. Support for this amendment is found in the Specification on page 5 lines 6-7.

Again, unlike the present invention, Taylor does not teach nor suggest a pretreatment additive receptacle. In

light of the above, Applicant respectfully contends that claim 29 does not literally read on the Taylor device, therefore claim 29 is not anticipated by Taylor.

All other claims that were rejected under 35 U.S.C. §102(b) have either been canceled or depend from an amended claim. Accordingly, Applicants contend that the basis for rejecting claims under 35 U.S.C. §102(b) has been overcome.

#### Rejection Under 35 U.S.C. §103

The Examiner rejected claims 6, 7, 9-11, 13-17, 25, 32, 34, and 35 under 35 U.S.C. §103 as being unpatentable over Taylor in view of Sansing. Independent claim 13 has been amended to include the limitations of receiving waste material in a vibrating screen box and vibrating the waste material in such a way as to separate lumps of waste material larger than a predetermined size from the remainder of the waste material. Support for this amendment is found in the Specification on page 4 lines 1-8.

Unlike the present invention, neither Taylor nor Sansing teach or suggest the processing steps involving a vibrating screen box. Quite unlike Taylor and Sansing, the present invention removes all large lumps of waste material

completely from the process by requiring the waste material to pass through a vibrating screen having openings of a predetermined size. In light of the above, Applicant respectfully contends that claim 13 does not literally read on the Taylor device and that it is nonobvious in view Sansing.

Dependent claim 16 has been amended to include the limitation of adding a pretreatment additive to the waste material while it is in the homogenizer. Support for this amendment is found in the Specification on page 5 lines 1-3.

Unlike the present invention, neither Taylor nor Sansing teach or suggest the use of a pretreatment additive during the process step of homogenizing. Quite unlike Taylor and Sansing, the present invention provides for the addition of a pretreatment additive to prevent the corrosion problems experience in homogenizers of previous processes such as those disclosed in Taylor and Sansing. In light of the above, Applicant respectfully contends that claim 16 does not literally read on the Taylor device and that it is nonobvious in view Sansing.

Independent claim 34 has been amended to include the limitations of receiving waste material in a vibrating

screen box and vibrating the waste material in such a way as to separate lumps of waste material larger than a predetermined size from the remainder of the waste material as well as the limitation of adding a pretreatment additive to the waste material while it is in the homogenizer. Support for this amendment is found in the Specification on page 4 lines 1-8 and on page 5 lines 1-3, respectively.

For the reasons stated above, Applicant respectfully contends that claim 34 does not literally read on the Taylor device and that it is nonobvious in view Sansing.

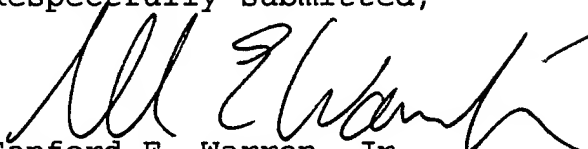
All other claims that were rejected under 35 U.S.C. §103 have either been canceled or depend from an amended claim. In light of the above, Applicants respectfully contend that the present invention is nonobvious in view of the cited reference because neither Taylor nor Sansing teach or suggest the use of a vibrating screen box or pretreatment additive in the homogenizer. Accordingly, Applicants contend that the basis for rejecting claims under 35 U.S.C. §103(b) has been overcome.

This application is now in condition for allowance. Accordingly, a favorable action in the form of an early Notice of Allowance is respectfully requested. The Examiner

is requested to call the undersigned at (214) 871-1677 for  
any reason that would advance the instant application to  
issue.

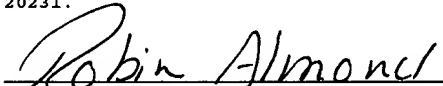
Dated this 2d day of December, 1994.

Respectfully submitted,

  
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